

REMARKS

Claims 1-18 are all the claims presently pending in the application. Claims 1-7, and 9 are amended to more clearly define the invention and claims 10-18 are added. Claims 1 and 14 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicant also notes that, notwithstanding any claim amendments herein or later during prosecution, Applicant's intent is to encompass equivalents of all claim elements.

Claims 1-2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Smith et al. reference. Claims 3-4, 6-7, and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Smith et al. reference in view of the Borle reference. Claims 5 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Smith et al. reference in view of the Bjorn et al. reference.

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

An exemplary embodiment of the claimed invention, as defined by, for example, independent claim 1, is directed to an artificial root of a tooth that includes an artificial root body of a tooth, provided with a male thread part to be engaged with a jawbone, and with a supporting stage on which an artificial tooth is mounted, and a self tapping part including a circumferential saw-blade shape provided on said artificial root body of the tooth.

Conventional artificial tooth roots require that a female thread be formed within a jaw bone prior to installation of the tooth root. Therefore, these conventional artificial tooth roots require a complicated, laborious and lengthy surgery.

Further, conventional artificial tooth roots suffer from the problem of the tooth root gradually loosening over time and, therefore, provide an unstable mounting.

In stark contrast, to these conventional artificial tooth roots, an exemplary embodiment of the claimed invention provides an artificial tooth root with a self tapping part including a circumferential saw-blade shape. The circumferential saw-blade shape provides

for self tapping of a female thread simultaneously to the installation of the artificial tooth root thereby significantly reducing the complexity and length of the surgery necessary to install the artificial tooth root.

Further, the circumferential saw-blade shape provides spaces between the teeth of the saw-blade shape into which the particles cut from the jaw bone may reside and into which the jaw bone may grow and, thereby, obtain a stable mount.

II. THE PRIOR ART REJECTIONS

A. The Smith et al. reference

Regarding the rejection of claims 1-2, the Examiner alleges that the Smith et al. reference teaches the claimed invention. Applicant submits, however, that there are elements of the claimed invention which are neither taught nor suggested by the Smith et al. reference.

None of the applied references teaches or suggests the features of the claimed invention including an artificial tooth root with a self tapping part including a circumferential saw-blade shape. As explained above, this feature is important for reducing the complexity and length of surgery for installation of the tooth root and also ensures the formation of a stable mount. (Page 3, lines 2 - 7).

Clearly, the Smith et al. reference does not teach or suggest an artificial tooth root with a self tapping part including a circumferential saw-blade shape.

Indeed, the Examiner does not allege that the Smith et al. reference teaches or suggest this feature.

Rather, in stark contrast, the Smith et al. reference merely discloses a self-tapping tooth anchor that does not have a circumferential saw-blade shape.

Therefore, the Smith et al. reference does not teach or suggest each and every element of the claimed invention and the Examiner is respectfully requested to withdraw this rejection of claims 1-2.

B. The Smith et al. reference in view of the Borle reference

Regarding the rejection of claims 3-4, 6-7, and 9, the Examiner alleges that the Borle reference would have been combined with the Smith et al. reference to form the claimed

invention. Applicant submits, however, that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

None of the applied references teaches or suggests the features of the claimed invention including an artificial tooth root with a self tapping part including a circumferential saw-blade shape. This feature is important for reducing the complexity and length of surgery for installation of the tooth root and also ensures the formation of a stable mount.

As explained above, the Smith et al. reference clearly does not teach or suggest this feature of the claimed invention.

The Borle reference does not remedy the deficiencies of the Smith et al. reference.

The Examiner alleges that the Borle reference discloses a saw-blade shaped self-tapping part. However, the saw-blade shaped thread that is disclosed by the Borle reference is longitudinal and not circumferential as claimed.

Therefore, the Borle reference clearly does not remedy the deficiencies of the Smith et al. reference.

Moreover, Applicant respectfully submits that the Examiner has failed to present a *prima facie* case of obviousness by failing to allege any motivation whatsoever for making the modification that is alleged by the Examiner.

Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 3-4, 6-7, and 9.

C. The Smith et al. reference in view of the Bjorn et al. reference

Regarding the rejection of claims 5 and 8, the Examiner alleges that the Bjorn et al. reference would have been combined with the Smith et al. reference to form the claimed invention. Applicant submits, however, that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

None of the applied references teaches or suggests the features of the claimed invention including an artificial tooth root with a self tapping part including a circumferential saw-blade shape. This feature is important for reducing the complexity and length of surgery

for installation of the tooth root and also ensures the formation of a stable mount.

As explained above, the Smith et al. reference clearly does not teach or suggest this feature of the claimed invention.

The Bjorn et al. reference does not remedy the deficiencies of the Smith et al. reference.

Indeed, the Examiner does not allege that the Bjorn et al. reference discloses these features.

The Bjorn et al. reference merely discloses a self-tapping implant for a jawbone having a special cutting geometry that provide desired cutting properties and strength. The Bjorn et al. reference clearly does not teach or suggest the features of the claimed invention including an artificial tooth root with a self tapping part including a circumferential saw-blade shape.

The Bjorn et al. reference does not remedy the deficiencies of the Smith et al. reference.

Therefore, the Examiner is respectfully requested to withdraw the rejection of claims 5 and 8.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that claims 1-18, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.


10/693,492
DOCKET NO. 030115

9

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 1/6/06



James E. Howard
Registration No. 39,715

McGinn Intellectual Property Law Group, PLLC
8321 Old Courthouse Rd., Suite 200
Vienna, Virginia 22182
(703) 761-4100
Customer No. 21254